

REMARKS**Summary of the Final Office Action**

Claims 1 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kato (JP 07-298476).

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Uman (US 4,276,576).

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of Wynn et al. (US 6,104,583).

Summary of the Response to the Final Office Action

Applicants have amended independent claim 1 by incorporating dependent claim 2. Accordingly, claims 1 and 3-5 are pending for consideration.

Allowable Subject Matter

Applicant wishes to thank the Examiner for indicating allowable subject matter in claims 3 and 4. Dependent claim 2 has been incorporated into independent claim 1. Accordingly, the rejections of claims 1 and 5 under 35 U.S.C. § 102(b) as being anticipated by Kato (JP 07-298476) and the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Uman (US 4,276,576) are moot. Based on the following remarks, Applicants believe claims 1 and 5 are also allowable.

All Claims Define Allowable Subject Matter

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of Wynn et al. Applicant respectfully traverses this rejection as being based upon references that neither teach nor suggest the novel combination of features recited by

independent claim 1. Claim 2 has been amended into claim 1 to incorporate the features of previously presented dependent claim 2. Thus, claim 1, as amended with respect to previously presented claim 2, recites a combination including, in part, a thunderbolt disaster protecting apparatus wherein a switching mechanism can mechanically maintain the normal condition or the thunderbolt resisting condition present at the time of change-over even in non-voltage condition.

With regard to independent claim 1, the Final Office Action asserts that Kato does not teach that the switching mechanism can be maintained mechanically the normal condition or the thunderbolt resisting condition of the time of change-over even in non-voltage condition. The Final Office Action then contends that Wynn et al. teaches an overcurrent protection system wherein a load is disconnected from a power supply during a fault condition wherein latching relays are used to connect and disconnect the circuit. In addition, the Final Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kato with Wynn et al. by replacing the switching means of Kato with a latching relay and driving circuitry taught by Wynn et al. et al. for the purpose of providing low power dissipation when switching the contacts (Wynn et al. column 6, lines 17-24). Applicant respectfully asserts that Wynn et al. do not show that for a non-voltage condition, a thunderbolt resisting condition or normal condition is maintained by the switching mechanism. Applicant respectfully asserts that column 5, lines 17-21, lines 25-28, and lines 41-48 of Wynn et al. teach overcurrent conditions in its operating circuit examples, as well as voltages reaching predetermined voltage amounts. Applicant respectfully contends that nowhere in Wynn et al. is a non-voltage condition

discussed where a switching mechanism maintains a thunderbolt resisting or normal condition. Therefore, Applicant respectfully asserts that Wynn et al. are silent with regard to the fact that the switching mechanism can mechanically maintain the normal condition or the thunderbolt resisting condition present at the time of change-over even in non-voltage condition as recited by independent claim 1. If Examiner maintains the rejection of record concerning the recited language of the non-voltage condition of claim 1, Applicant respectfully requests that the Examiner provide precisely where Wynn et al. teach these limitations recited in independent claim 1.

Accordingly, Applicant respectfully asserts that Kato and Wynn et al., whether taken singly or in combination, fail to teach or suggest “wherein said switching mechanism can mechanically maintain the normal condition or the thunderbolt resisting condition present at the time of change-over even in non-voltage condition” as required by independent claim 1.

For the above reasons, Applicant respectfully asserts that all of the rejections under 35 U.S.C. §102(b) should be withdrawn because the applied prior art references neither teach nor suggest the novel combination of features clearly recited in independent claim 1, and hence dependent claim 5. Thus, Applicant respectfully asserts that the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Kato, the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Morita, the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Uman, and the rejection of claim 2 under 35 U.S.C. § 103(a) in view of Kato and Wynn et al. et al. must be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner believe that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

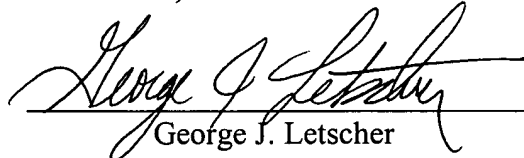
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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